

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KEVIN LONDEL SIMS,

Plaintiff,

v.

**UNIVERSITY OF PENNSYLVANIA
HEALTH SYSTEM and HOSPITAL OF
THE UNIVERSITY OF PENNSYLVANIA,**

Defendants.

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**CIVIL ACTION
NO. 22-5260**

ORDER

AND NOW, this **7th** day of **March, 2025**, it is hereby **ORDERED** as follows:

1. Upon consideration of the Motion of Defendant The Trustees of The University of Pennsylvania to Strike Plaintiff's Improper Filing (ECF No. 44), the motion is **DENIED**.
2. Upon consideration of the Plaintiff's Motion to Strike Defendant The Trustees of the University of Pennsylvania Reply in Support of Its Motion to Dismiss (ECF No. 45), the motion is **DENIED**.
3. Upon consideration of the Motion of Defendant The Trustees of The University of Pennsylvania to Strike Plaintiff's Improper Filing (ECF No. 46), the motion is **DENIED** as **MOOT**.
4. Upon consideration of the Plaintiff's Motion for Relief Under Rule 60(b) to Comply With Rule 10 of the FRCP to Amend Previous Filings (ECF No. 48), the motion is **DENIED** as **MOOT**.
5. Upon consideration of the Plaintiff's Motion to Amend Complaint Under Rule 15 (ECF

No. 50), and the plaintiff having filed a motion to Correct the Deficiencies in this Motion (ECF No. 62), which the Court has granted, the motion is **DENIED** as **MOOT**.

6. Upon consideration of the Plaintiff's Motion for Appointment of Counsel (ECF No. 51), the motion is **DENIED** as **MOOT**.
7. Upon consideration of the Motion of Defendant The Trustees of The University of Pennsylvania for Sanctions Pursuant to Federal Rule of Civil Procedure Rule 11 (ECF No. 55), Plaintiff's Response to Defendant's Motion for Sanctions and Motion to Strike the Motion for Sanctions (ECF No. 58), and Reply Brief of Defendant In Further Support of Its Motion for Sanctions (ECF No. 63), the motion is **DENIED** without prejudice.
8. Upon consideration of the Plaintiff's Motion to Strike the Defendant's Motion for Sanctions (ECF No. 58), the motion is **DENIED**.
9. Upon consideration of the Plaintiff's Motion for an Order Directing Defendants to Provide Current Correct Contact Information (ECF No. 59), and the plaintiff already being in possession of such current, correct contact information, the motion is **DENIED** as **MOOT**.
10. Upon consideration of Plaintiff's Motion to Strike the Defendant's Response to the Plaintiff's Notice (ECF No. 61), and the Response of Defendant The Trustees of The University of Pennsylvania in Opposition to the Plaintiff's Motion to Strike (ECF No. 64), the motion is **DENIED**.
11. Upon consideration of the Plaintiff's Motion Under Rule 60(b)(1) to Correct Plaintiff's Motion for Leave to Amend Complaint (ECF No. 62), the motion is **GRANTED IN PART AND DENIED IN PART**. The plaintiff's motion for leave to amend the amended complaint is construed as a request to file a second amended complaint. The plaintiff is granted leave to file a second amended complaint, which will be in the form of the proposed

complaint attached to ECF No. 62 at pages 7-79. Any request for leave to amend his complaint to assert claims that the defendant's violated his rights under 28 U.S.C. § 1875 and 42 Pa. C.S.A. § 4563 is **DENIED**.

12. Upon consideration of the Plaintiff's Motion for Relief to Correct the Title of Plaintiff's Motion at ECF No. 58 (ECF No. 65), the motion is **GRANTED. IT IS FURTHER ORDERED** that the title of the motion filed by the plaintiff at ECF No. 58 is amended to read as follows: "Response to the Defendant's Motion for Sanctions and Motion to Strike Defendant's Motion for Sanctions under Rule 12(f) of the Federal Rules of Civil Procedure."
13. Upon consideration of Plaintiff's Motion to Strike the Defendant's Response to the Plaintiff's Motion to Strike (ECF No. 66), and the Response of Defendant The Trustees of The University of Pennsylvania in Opposition to the Plaintiff's Motion to Strike (ECF No. 70), the motion is **DENIED**.
14. Upon consideration of the Plaintiff's Motion for Relief Under Rule 60 to Amend ECF No. 48 (ECF No. 68), the motion is **DENIED** as **MOOT**.
15. Upon consideration of Plaintiff's Motion for Leave to File Support Brief for Proposed Amended Complaint (ECF No. 72), the motion is **DENIED**.
16. Upon consideration of the Plaintiff's Motion for Leave to Submit a Supplemental Brief in Support of his Motion to Appoint Counsel (ECF No. 73), the motion is **DENIED** as **MOOT**.
17. Upon consideration of the Plaintiff's Motion for Leave to Submit a Corrected Version of ECF No. 73 (ECF No. 74), the motion is **DENIED** as **MOOT**.

BY THE COURT:

/s/Kai N. Scott

HON. KAI N. SCOTT
United States District Court Judge